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Washington, D.C. 20515
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February 6, 1984

MEMORANDUM

TO: Members of the Subcommittee on
Civil and Constitutional Rights

FROM: Don Edwards
Chairman
Subcommittee on Civil and
Constitutional Rights

RE: February 7th hearing on NSDD-84

In tomorrow's hearing, representatives of certain agencies will provide information regarding instances of unauthorized disclosures of classified information within their respective departments. In the paragraphs below, a summary of agency responses to a group letter dated August 12, 1983 from the Senate Governmental Affairs Committee is provided. In this letter, the Senate Committee requested information regarding episodes where former officials failed to submit their writings for pre-publication review.

1. CIA Response

In the past five years, the CIA stated that four former employees failed to submit their writings to the CIA for pre-publication review. These four employees were William Colby, [redacted] and Philip Agee.

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2. Department of Justice Response

In their reply, they stated that they were unaware of any unauthorized publications of classified information by agency employees during the last five years.

Members of the Subcommittee on
Civil and Constitutional Rights
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3. State Department

The Department was not aware of any unauthorized publications of classified information by current or former employees occurring within the last five years.

4. Department of Defense

The Department of Defense outlined, in detail, sixty instances of unauthorized disclosures within the last five years. The Department of Defense also enclosed a summary of the outcome or probable outcome of the leak investigations in each of these sixty cases.

PATRICIA SCHROEDER, COLO., CHAIRWOMAN
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U.S. House of Representatives
COMMITTEE ON POST OFFICE AND CIVIL SERVICE
SUBCOMMITTEE ON CIVIL SERVICE

122 CANNON HOUSE OFFICE BUILDING

Washington, D.C. 20515

TELEPHONE (202) 225-4026

To: Members of each Subcommittee
From: Andrew Feinstein, Chief Counsel, Civil Service Subcommittee
Re: Information on Today's Hearing

1. Today's hearing requires a Codeword clearance, which is a high level of security. As a result, if you take any notes, they must be disposed of at the end of the session. If, however, you want to preserve your notes, the CIA will safeguard them and make them available to you on your request.

2. The agency representatives at today's session are:

Department of Justice

Richard K. Willard, Acting Assistant Attorney General

Also Pres: for the Civil Division

Central Intelligence Agency

John H. Stein, Deputy Director for Operations

Clair George, Director, Legislative Liaison

[Redacted] Deputy Director, Legislative Liaison

[Redacted] Associate General Counsel

[Redacted] Legislative Liaison

STAT

National Security Agency

[Redacted], Chief, Intelligence Staff, Operational

[Redacted] General Counsel

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Department of Defense

Maynard Anderson, Director, Security Plans and Programs

John F. Donnelly, Director, Counterintelligence and

Investigative Programs

Roger Pitkin, Commander, United States Navy

3. ~~Please do not take this sheet with you.~~

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HONORABLE DON EDWARDS

Opening Statement

February 7, 1984

At our last hearing on the subject of the Presidential Directive on Safeguarding National Security Information, we were told by Mr. Willard that the directive was needed because of "numerous instances of unauthorized disclosures of classified information" in the past. The witnesses declined to publicly provide examples of those unauthorized disclosures because classified information would be involved. Accordingly, this executive session was scheduled.

I would like to stress at the outset that our purpose today is very limited; we are concerned solely with the impact the directive would have had on the unauthorized disclosures you are about to describe. ^{The Question is} Would it have made any difference if you had a comparable pre-publication review system or polygraph requirement in place? If so, how? Thus, the details of the leaks and their effect on national security are but tangentially of interest and should not be the focus of our deliberations. Furthermore, because this session is being held behind closed doors, I hope we can contain ourselves to examples and facts which are classified, and leave all other matters for public discussion.

Finally, because highly sensitive information will be disclosed today, I would just remind those present that we must be particularly cautious in discussing these matters in the future.

PUBLIC LAW 98-164—NOV. 22, 1983

97 STAT. 1029

UNITED STATES DIPLOMATIC RELATIONS WITH THE VATICAN

SEC. 134. In order to provide for the establishment of United States diplomatic relations with the Vatican, the Act entitled "An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-eight, and for other purposes", approved February 28, 1867, is amended by repealing the following sentence (14 Stat. 413): "And no money hereby or otherwise appropriated shall be paid for the support of an American legation at Rome, from and after the thirtieth day of June, eighteen hundred and sixty-seven."

22 USC 2656
note.

THIRTY-NINTH CONGRESS. SESS. II. CH. 63, 98, 99. 1867.

Feb. 28, 1867. CHAP. XCIX. — *An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-eight, and for other Purposes.*

Consular and
diplomatic ex-
penses appro-
priation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-eight, namely: —

Envoys ex-
traordinary,
ministers and
commissioners.

For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Aus-

tria, Brazil, republic of Mexico, China, Italy, Chili, Peru, Portugal, Switzerland, Belgium, Holland, Denmark, Sweden, Turkey, New Gren-
ada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich
Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay,
Japan, and Salvador, three hundred and one thousand dollars: *Provided*,
That no money shall be paid to the present Minister Resident at Portu-
gal out of any fund whatever; and this provision shall continue in force
until repealed by Congress. And no money hereby or otherwise appro-
priated shall be paid for the support of an American legation at Rome,
from and after the thirtieth day of June, eighteen hundred and sixty-
seven.

Present minis-
ter resident at
Portugal.
American leg-
ation at Rome.

For salaries of secretaries of legation, thirty thousand dollars.

Secretaries of
legation.
Assistant sec-
retaries.
Interpreters.

For salaries of assistant secretaries of legation at London and Paris,
three thousand dollars.

For salary of the interpreter to the legation to China, five thousand
dollars.

For salary of the secretary of legation to Turkey, acting as interpreter,
three thousand dollars.

For salary of the interpreter to the legation to Japan, two thousand
five hundred dollars.

For contingent expenses of all the missions abroad, fifty thousand
dollars.

Contingent ex-
penses.

For contingent expenses of foreign intercourse, sixty-five thousand
dollars.

For expenses of intercourse with the Barbary powers, three thousand
dollars.

Barbary pow-
ers.

For expenses of the consulates in the Turkish dominions, namely: inter-
preters, guards, and other expenses of the consulates at Constantinople,
Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred
dollars.

Consulates in
the Turkish do-
minions.

For the relief and protection of American seamen in foreign countries,
per acts of February eighteen, eighteen hundred and sixty-three, and
February twenty-eight, eighteen hundred and eleven, two hundred thou-
sand dollars.

American sea-
men in foreign
countries.
1811, ch. 28.
Vol. ii. p. 651.

For expenses which may be incurred in acknowledging the services of
the masters and crews of foreign vessels in rescuing citizens of the United
States from shipwreck, ten thousand dollars.

Rescue from
shipwreck.

For the purchase of blank books, stationery, book cases, arms of the
United States, seals, presses, and flags, and for the payment of postages,
and miscellaneous expenses of the consuls of the United States, including
loss by exchange, fifty thousand dollars.

Blank books,
stationery, &c.
postages and ex-
change.

For office rent for those consuls-general, consuls, and commercial agents
who are not allowed to trade, including loss by exchange thereon, forty-
five thousand dollars.

Office rent of
certain consuls-
general, &c.

For salaries of consuls-general, consuls, commercial agents, and thir-
teen consular clerks, namely:—

I. CONSULATES GENERAL.

SCHEDULE B.

Alexandria, Calcutta, Constantinople, Frankfort-on-the-Main, Havana,
Montreal, Shanghai.

Consulates
General.
Schedule B.

II. CONSULATES.

SCHEDULE B.

Acapulco, Aix-la-Chapelle, Algiers, Amoy, Amsterdam, Antwerp, As-
pinwall, Bangkok, Basle, Belfast, Beirut, Buenos Ayres, Bordeaux, Bre-
men, Bfindisi, Boulogne, Barcelona, Cadiz, Callao, Candia, Canton,
Chemnitz, in Saxony, Chin-Kiang, Clifton, Cordicook, Cork, Demarara,

Consulates.
Schedule B.